

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ENHANCED OXYGEN BARRIER PERFORMANCE FROM MODIFICATION OF ETHYLENE VINYL ALCOHOL COPOLYMERS (EVOH)**, the Specification of which was filed on May 8, 2001 as Application Serial No. 09/851,537.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate, PCT international application(s), and United States provisional application(s), listed below and have also identified below any foreign application for patent or inventor's certificate, PCT international application, or United States provisional application, having a filing date before that of the application on which priority is claimed:

### **PRIORITY APPLICATION(S)**

**Priority  
Claimed**

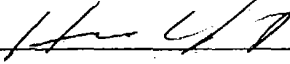
(Number)	(Country)	(Date Filed)	Yes/No
(Number)	(Country)	(Date Filed)	Yes/No

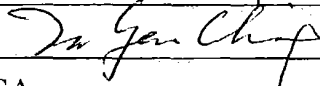
I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which becomes available between the filing date of the prior application and the national or PCT international filing date of this application:

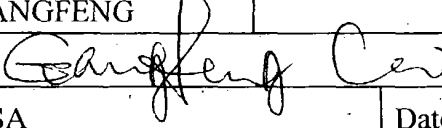
60/205,999	May 19, 2000	Provisional
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Raymund F. Eich, Williams, Morgan & Amerson, P.C., 7676 Hillmont, Suite 250, Houston, Texas 77040, (713) 934-4065.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name:	HU		YANG
Inventor's Signature:			
Country of Citizenship:	CANADA	Date:	7-24-01
Residence Address: (street, number, city, state, and/or country)	360 Bellflower Ct. San Ramon, CA 94583		
Post Office Address: (if different from above)	same as above		

Inventor's Full Name:	TA	YEN	CHING
Inventor's Signature:			
Country of Citizenship:	USA	Date:	7-24-01
Residence Address: (street, number, city, state, and/or country)	10 Santa Yorma Court Novato, CA 94945		
Post Office Address: (if different from above)	same as above		

Inventor's Full Name:	GANGFENG		CAI
Inventor's Signature:			
Country of Citizenship:	USA	Date:	7/24/2001
Residence Address: (street, number, city, state, and/or country)	335 Glasgow Circle Danville, CA 94526		
Post Office Address: (if different from above)	same as above		



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 22, 2001

PTAS



\*101817299A\*

WILLIAMS, MORGAN & AMERSON, P.C.

RAYMUND F. EICH

7676 HILLMONT, SUITE 250

HOUSTON, TEXAS 77040

OCT 26 2001

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/13/2001

REEL/FRAME: 012078/0075

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

YANG, HU

DOC DATE: 07/24/2001

ASSIGNOR:

CHING, TA YEN

DOC DATE: 07/24/2001

ASSIGNOR:

CAI, GANGFENG

DOC DATE: 07/24/2001

ASSIGNEE:

CHEVRON PHILLIPS CHEMICAL COMPANY  
LP

1301 MCKINNEY

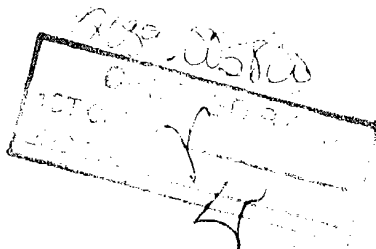
HOUSTON, TEXAS 77010

SERIAL NUMBER: 09851537

FILING DATE: 05/08/2001

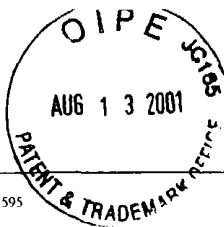
PATENT NUMBER:

ISSUE DATE:



012078/0075 PAGE 2

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



08-21-2001

FORM PTO-1595  
(Rev. 6-93)

U.S. Department of Commerce

OMB No. 0651-0011 (exp. 4/94)

101817299

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying parties:

HU YANG  
TA YEN CHING  
GANGFENG CAI

8-13-01

Additional name(s) of conveying party(ies) attached? ☐ Yes **XX** No

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other

Execution Date: **July 24, 2001**

2. Name and address of receiving party:

Name: **CHEVRON PHILLIPS CHEMICAL  
COMPANY LP**

Internal Address:

Street Address: **1301 McKinney**City: **Houston** State: **TX** Zip: **77010**Additional name(s) & address(es) attached? ☐ Yes **XX** No

4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s):

**09/851,537**

B. Patent No.(s):

Additional numbers attached? ☐ Yes **XX** No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Raymund F. Eich**  
**Williams, Morgan & Amerson, P.C.**  
**7676 Hillmont, Suite 250**City: **Houston** State: **Texas** Zip: **77040**6. Total number of applications and patents involved: **1**7. Total fee (37 C.F.R. 3.41)----- \$ **40.00**

Enclosed

Authorized to be charged to deposit account  
if check insufficient or inadvertently omitted8. Deposit account number: **50-0786/2039.005800RFE**  
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.***Raymund F. Eich****08/09/01**Name of Person Signing, Reg. No. **42,508**

Signature

Date

Total number of pages including cover sheet, attachments and documents: **4**

## CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this correspondence is being deposited  
with the United States Postal Service with sufficient postage  
as First Class Mail in an envelope addressed to: BOX  
MISSING PART, Assistant Commissioner for Patents,  
Washington D.C., 20231, on the date below.

August 9, 2001

  
Cynde Meinhardt

08/14/2001 MBERHE 00000086 09851537

08/14/2001

40.00 DP

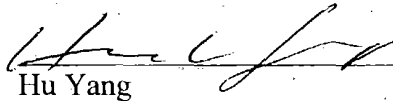
## ASSIGNMENT

WHEREAS, We, HU YANG, residing in the City of San Ramon, County of Contra Costa, State of California; TA YEN CHING, residing in the City of Novato, County of Marin, State of California; and GANGFENG CAI, residing in the City of Danville, County of Contra Costa, State of California, have invented new and useful improvements in **ENHANCED OXYGEN BARRIER PERFORMANCE FROM MODIFICATION OF ETHYLENE VINYL ALCOHOL COPOLYMERS (EVOH)**, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/851,537 and filed on May 8, 2001; and

WHEREAS, CHEVRON PHILLIPS CHEMICAL COMPANY LP, a limited liability company organized and existing under and by virtue of the laws of the State of Delaware, and having a regular and established place of business at Houston, State of Texas, is desirous of acquiring the entire right, title and interest in and to said invention, and in and to the Letters Patent to be granted and issued therefor:

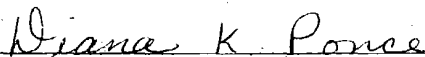
NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, the said HU YANG, TA YEN CHING, and GANGFENG CAI, do hereby sell, assign, transfer and set over unto said CHEVRON PHILLIPS CHEMICAL COMPANY LP, its successors and assigns. the entire right, title and interest in and to said invention, and in and to all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, but for, to and in all other countries; and I hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent in accordance with this Assignment.

SIGNED my hand at Richmond, California, this 24 day of July, 2001.

  
Hu Yang

## STATEMENT BY WITNESS

I, Diana K. Ponce, whose full post office address is 100 Chevron Way, Richmond, CA 94802, was personally present and did see HU YANG, who is known to me execute the above Assignment on July 24, 2001.

  
Signature of Witness

SIGNED my hand at Richmond, California, this 24 day of July, 2001.

Ta Yen Ching  
Ta Yen Ching

**STATEMENT BY WITNESS**

I, Diana K. Ponce, whose full post office address is 100 Chevron Way, Richmond, CA 94802, was personally present and did see TA YEN CHING, who is known to me execute the above Assignment on July 24, 2001.

Diana K. Ponce  
Signature of Witness

SIGNED my hand at Richmond, California, this 24 day of July, 2001.

Gangfeng Cai  
Gangfeng Cai

**STATEMENT BY WITNESS**

I, Diana K. Ponce, whose full post office address is 100 Chevron Way, Richmond, CA 94802, was personally present and did see GANGFENG CAI, who is known to me execute the above Assignment on July 24, 2001.

Diana K. Ponce  
Signature of Witness



FORM PTO-1595  
(Rev. 6-93)

RECORDATION FORM COVER SHEET

U.S. Department of Commerce

OMB No. 0651-0011 (exp. 4/94)

PATENTS ONLY

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying parties:

HU YANG  
TA YEN CHING  
GANGFENG CAI

Additional name(s) of conveying party(ies) attached? ☐ Yes **XX** No

3. Nature of conveyance:



Assignment



Merger



Security Agreement



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Other

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A. Patent Application No.(s):

**09/851,537**

B. Patent No.(s):

Additional numbers attached? ☐ Yes **XX** No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Raymund F. Eich**  
**Williams, Morgan & Amerson, P.C.**  
**7676 Hillmont, Suite 250**

City: **Houston** State: **Texas** Zip: **77040**

6. Total number of applications and patents involved: **1**

7. Total fee (37 C.F.R. 3.41)----- \$ **40.00**



Enclosed



Authorized to be charged to deposit account  
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(Attach duplicate copy of this page if paying by deposit account)

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**Raymund F. Eich**

**08/09/01**

Name of Person Signing, Reg. No. **42,508**

Signature

Date

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August 9, 2001

  
Cynde Meinhart



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

HU YANG  
TA YEN CHING  
GANGFENG CAI

Serial No.: 09/851,537

Filed: May 8, 2001

For: ENHANCED OXYGEN BARRIER  
PERFORMANCE FROM MODIFICATION  
OF ETHYLENE VINYL ALCOHOL  
COPOLYMERS (EVOH)

Group Art Unit: 1713

Examiner: Unknown

Attorney Docket: 2039.005800/RFE

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Danny L. Williams, Reg. No. 31,892; Terry D. Morgan, Reg. No. 31,181; J. Mike Amerson, Reg. No. 35,426; Kenneth D. Goodman, Reg. No. 30,460; Jeffrey A. Pyle, Reg. No. 34,904; Randall C. Furlong, Reg. No. 35,144; Scott F. Diring, Reg. No. 35,119; George J. Oehling, Reg. No. 40,471; Shelley P.M. Fussey, Reg. No. 39,458; Mark D. Moore, Reg. No. 42,903; Louis H. Iselin, Reg. No. 42,684; Raymund F. Eich, Reg. No. 42,508; Bradley A. Mislley, Reg. No. 46,937; Thomas H. Belvin, Jr., Reg. No. 43,491; Daren C. Davis, Reg. No. 38,425; and Stephanie A. Wardwell, Reg. No. 48,025,

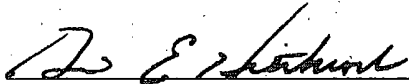
each an attorney or agent of the firm of WILLIAMS, MORGAN & AMERSON, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to CHEVRON PHILLIPS CHEMICAL COMPANY LP, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Raymund F. Eich  
WILLIAMS, MORGAN & AMERSON, P.C.  
7676 Hillmont, Suite 250  
Houston, Texas 77040  
(713) 934-4065

ASSIGNEE:  
CHEVRON PHILLIPS CHEMICAL COMPANY LP

By:   
Name: Bion E. Hitchcock  
Title: Assistant General Counsel

Date: July 17, 2001

ASSIGNMENT:

- ☒ Concurrently filed  
☐ Previously recorded

Date:

Reel:

Frames: